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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

COURAGE UHUMWNOMA OSAWE,	)	Case No. 3:18-cv-00600-RCJ-WGC
	)	
Plaintiff,	)	
	)	
vs.	)	<b>OPPOSITION TO MOTION TO STRIKE</b>
	)	<b>(#19) FOR FAILURE TO REDACT</b>
DMV INVESTIGATOR JENNIFER TINSLEY;	)	<b>CONFIDENTIAL INFORMATION</b>
DMV INVESTIGATOR BRIAN BOWLES;	)	
DMV INVESTIGATOR WILLIAM LYONS;	)	
AND DMV SERGEANT TODD PARDINI;	)	
AND JOHN DOES I THROUGH X,	)	
INCLUSIVE,	)	
	)	
Defendants.	)	

Defendants Jennifer Tinsley, Brian Bowles, William Lyons, and Todd Pardini, by and through counsel Aaron D. Ford, Attorney General of the State of Nevada, and Nathan L. Hastings, Senior Deputy Attorney General, hereby submit their Opposition to Motion to Strike (#19) for Failure to Redact Confidential Information

This Opposition is made and supported by the attached Memorandum of Points and Authorities and all other papers and pleadings on file herein.

**MEMORANDUM OF POINTS AND AUTHORITIES**

**A. Plaintiff's Requested Sanctions are not Justified as Plaintiff was not Prejudiced by Defendants' Initial Failure to Redact.**

As Plaintiff has pointed out, at the time of the filing of Defendants' Motion to Stay Discovery

(#17) on February 26, 2019, a page in one of its exhibits (#17-2, see #21-1<sup>1</sup> at 6) was filed without the redaction required by Fed.R.Civ.P. 5.2 and LR IC 6-1. Defendants acknowledge and apologize for this oversight.

Later on that same date, when Defendants' counsel became aware of its failure to redact the page at issue, the office of the clerk of the Court was contacted to address the issue. (*See* Exhibit A, Declaration of Barbara Cozens). The exhibit containing the unredacted page was immediately sealed. (*Id.*). Defendants then redacted personal identification information on the page at issue and the exhibit was re-filed as Exhibit B to the Motion to Stay Discovery (#21). (*Id.*).

Defendants concede that under LR IC 7-1 and LR IA 11-8, the Court may sanction parties by striking filings for violation of the Rules of Civil Procedure and Local Rules. However, in this matter, circumstances do not justify such a sanction. Plaintiff was not prejudiced or harmed by the inadvertent and temporary failure to redact his personal information. The information was redacted the same day it was initially filed without redaction. If the Court deemed that any sanction were appropriate, the page at issue might be stricken as it was the only offending item. It would be unduly harsh to limit Defendants' ability to seek a stay of discovery based on the very minor and temporary rule violation that occurred in this matter.

Accordingly, Defendants request that Plaintiff's Motion to Strike their Motion to Stay Discovery, be denied.

DATED this 8th day of March, 2019.

AARON D. FORD  
Attorney General

By: /s/ Nathan L Hastings  
NATHAN L. HASTINGS  
Senior Deputy Attorney General  
*Attorney for Defendants*

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<sup>1</sup> The exhibit at issue was at that time filed and numbered on the docket at #17-2, however, it is no longer contained on the docket under that number. As explained in Exhibit A to this Opposition (Declaration of Barbara Cozens), later in the day on February 26, 2019, the clerk's office at the Court was contacted and filed the unredacted exhibit at issue under seal, and it appears to occupy docket item #20 at this time. A redacted version of the exhibit was filed as docket item #21. (*See* Exhibit A).

**CERTIFICATE OF SERVICE**

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on March 8, 2019, I filed the foregoing document via this Court's electronic filing system. Parties that are registered with this Court's EFS will be served electronically. For those parties not registered, service was made by depositing a copy of the above-referenced document for mailing in the United States Mail, first-class postage prepaid, at Carson City, Nevada to the following:

Luke Andrew Busby, Ltd.  
316 California Avenue  
Reno, NV 89509

/s/Barbara D. Cozens  
An Employee of the  
Office of the Attorney General

**INDEX OF EXHIBITS**

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